

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

In the pending Office Action, the Examiner rejected claims 1-3, 7, 9, and 13-17, under 35 U.S.C. §102(b), as allegedly being anticipated by Weindorf '182 (U.S. Patent Pub. No.2002/0118182).

By this Amendment, claims 1-3, 7, 9, and 13-17 have been cancelled and new claims 18-27 have been added. Applicant submits that no new matter has been introduced. As such, claims 18-27 are currently presented for examination of which claims 18 and 23 are independent.

Insofar as the rejections are still deemed relevant in view of the claim cancellations, Applicant respectfully traverses the rejections, under 35 U.S.C. §102(b), for the reasons presented below.

I. Rejections Under §102(b).

As indicated above, independent claim 18 is directed to an information processing device and positively recites, *inter alia*, a determining unit configured to determine a target display brightness of the display unit responsive to the surrounding lightness detected by the detector, a selector configured to select one of a first mode and a second mode, and *a changing unit configured to change the display brightness of the display unit based on the target display brightness determined by the determining unit, wherein the changing unit changes the display brightness of the display in a stepwise fashion if the first mode is selected and changes the display brightness of the display instantly if the second mode is selected.*

These features are amply supported by the embodiments described in the Specification. For example, the disclosed embodiments provide that brightness changing modes are selectable as described in the second and third embodiments. One mode is to change the brightness stepwise as in the first embodiment. The other mode is to change the brightness instantaneously (see FIG. 10). According to the second embodiment, the user can

choose a mode based his or her choice. (*See, e.g.*, Originally-Filed Specification: page 16, lines 17-24 and page 19, lines 12-19). According to the third embodiment, a mode is selected based on the difference between the current brightness and the target brightness. (*See, e.g.*, Originally-Filed Specification: page 19, line 22 to page 20, line 4 and page 22, lines 13-19). The threshold for selecting the mode is changeable. (*See, e.g.*, Originally-Filed Specification: page 22, lines 11-12). Thus, the present invention can provide a display device which can easily change the brightness based on the lightness of surroundings and the user's preference.

Applicant submits that the asserted reference fails to teach each and every element of claim 18, including the features noted above. In particular, Weindorf '182 discloses that the automatic brightness control system uses a fractional power function to adjust the display brightness as a function of the ambient light condition. (*See, Weindorf '182*: [0034], lines 1-3). Weindorf '182 further discloses that the brightness control may adjust the daytime brightness automatically in response to changes in ambient night. (*See, Weindorf '182*: [0038], lines 1-11). In one aspect, depending on whether it is night or day, the brightness level is adjusted according to the night or day luminance value for the step number. So, when daytime ambient light conditions exist, the day/night comparator 340 sends a "DAY" determination to the day/night selector 344. (*See, Weindorf '182*: [0068], lines 20-28).

With this said, there is nothing in the disclosures of Weindorf '182 that remotely suggest *a changing unit configured to change the display brightness of the display unit based on the target display brightness determined by the determining unit, wherein the changing unit changes the display brightness of the display in a stepwise fashion if the first mode is selected and changes the display brightness of the display instantly if the second mode is selected*, as required by claim 18. That is, as noted above, Weindorf '182 merely teaches that comparator 340 sends a "DAY" or "NIGHT" determination to selector 344. As such, Weindorf '182 fails to suggest changing the display brightness of the display unit in a specific manner (*i.e.*, stepwise vs. instant), based on the target display brightness determined by the determining unit and the particular mode that is selected.

Hence, for at least these reasons, Applicant submits that claim 18 is clearly patentable. And, because claims 19-22 depend from claim 18, either directly or indirectly, claims 19-22 are patentable at least by virtue of dependency as well as for their additional recitations.

Applicant further submits that because independent claim 23 recites similar patentable features as claim 18, claim 23 is also patentable for the same reasons given relative to claim 18. And, because claims 24-27 depend from claim 23, claims 24-27 are patentable at least by virtue of dependency as well as for their additional recitations.

II. Conclusion.


All matters having been addressed and in view of the foregoing, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant's representative remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number **03-3975**. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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